Bankruptcy Case Opening

For Attorneys

This process shows the steps and screens required for attorneys to open a bankruptcy case on CM/ECF.

STEP 1 Click on the Bankruptcy hyperlink on the CM/ECF Main Menu Bar. **(See Figure 1.)**

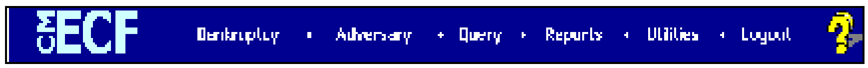


Figure 1

STEP 2 The **BANKRUPTCY EVENTS** screen displays. **(See Figure 2a.)**

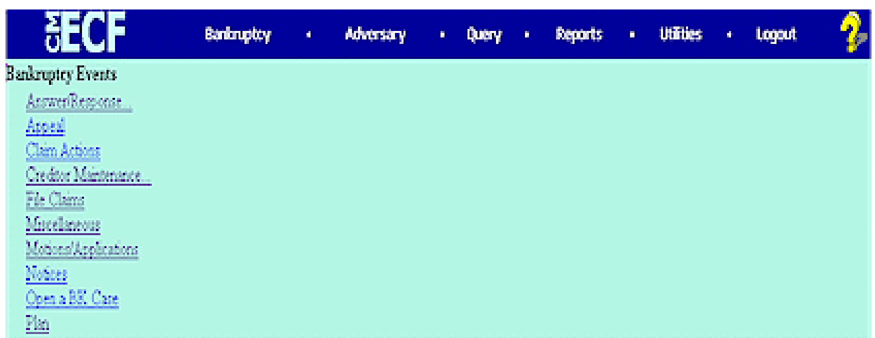
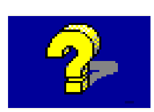


Figure 2a

- For further information on each of these categories, click the **HELP** icon on the CM/ECF Main Menu Bar (the question mark, pictured below). That will bring up a help screen. **(See Figure 2b.)**



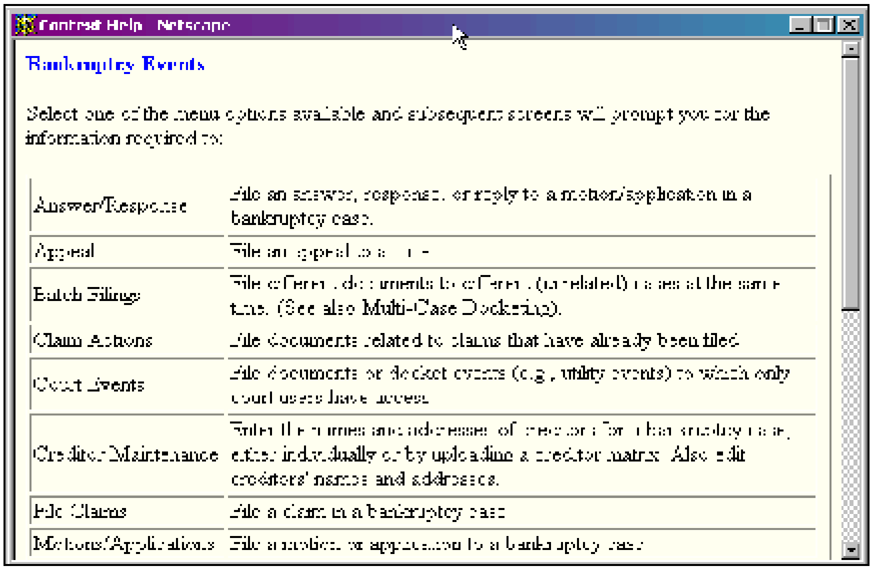


Figure 2b

◆ This screen gives you more information about the menu selections. Too see information for other options, scroll down using the arrows or scroll bar on the right. **(See Figure 2c.)**

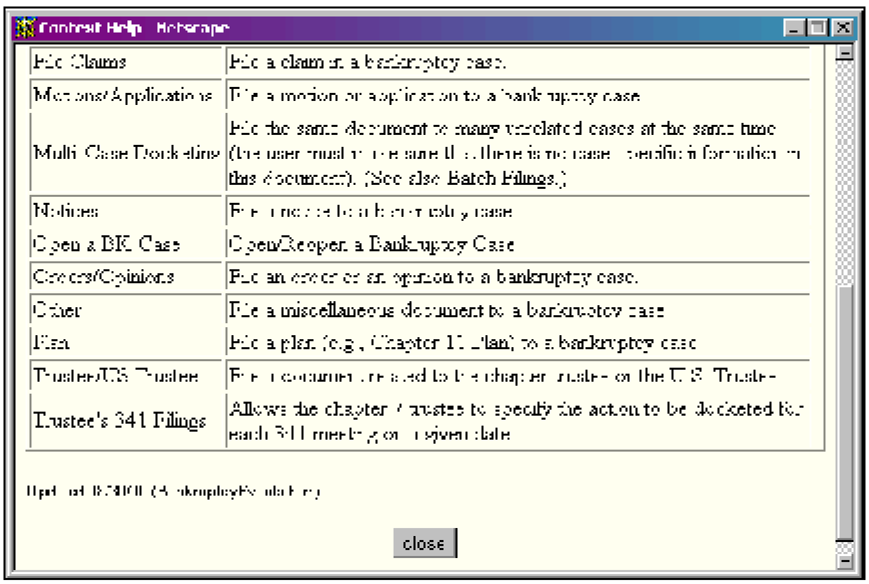


Figure 2c

NOTE: **Due to user access assignments, your actual menu options may vary from this list.**

- To close this help screen, click on the "X" in the top right corner of the screen, or click on the **[Close]** box at the bottom of the screen. This will return you to the Bankruptcy Events screen. **(See Figure 2a.)**

STEP 3 At the Bankruptcy Events screen, click on the Open a BK Case hyperlink. The Open New Bankruptcy Case screen will display **(See Figure 3.)**

Figure 3

- The case number will be generated later in this process and will be displayed on the Notice of Electronic Filing.
- Select the **Office** (example: Bowling Green, Louisville, Owensboro, or Paducah) from the pick list box, or skip it if the default is correct.
- The current date will always be displayed in the **Date Filed** field.
- Select the **Chapter** from the pick list box, or skip it if the default is correct.
- The default value for **Joint Petition** is **n** (no); for a Joint filing select **y** (yes).
- The Case Type will always be **bk**. Leave it as it is.

- If there are any required items missing from the Voluntary Petition, change the **Deficiencies** box from **n** to **y**.

  NOTE: In **Chapter 13** cases, if the Plan and/or Certificate of Service is missing, but the Voluntary Petition **is** complete **do not** change the Deficiencies box from n to y.

  - Plan & Certificate missing: deadline will be created for both automatically.

  - Certificate of Service missing: a deadline will be created automatically for both the Plan and Certificate, **however**, once the user dockets the Plan event the deadline will automatically be terminated, leaving only the deadline for the Certificate of Service due.

  - If neither Plan nor Certificate of Service is missing: once the user dockets the Plan and Certificate of Service events the deadlines will automatically be terminated.

- When this screen is correct, click **[Next]** to continue.

STEP 4 The **PARTY SEARCH** screen displays. **(See Figure 4.)**

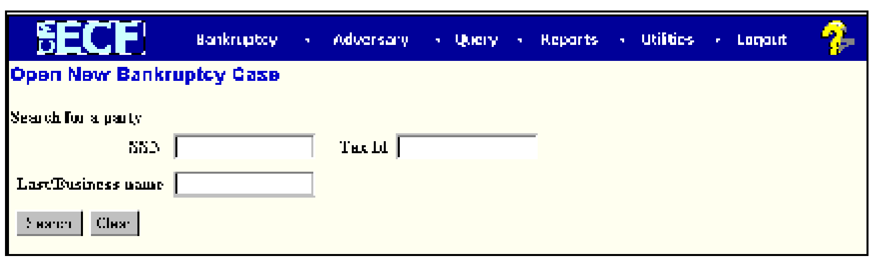


Figure 4

- This screen is for you to enter the parties on the case. Before you add the debtor, or any party, you should search the database to see if that party already exists in the database from another case, to eliminate duplicate records in the system. You can search by Social Security Number, Tax Identification Number, Last Name or Business Name.

- You can enter the last name to search the database. If this is a business filing, enter the first word or significant words of the business name to search. The entire business name is stored in the **Last/Business name** field. The field size is 80 characters.

◆ In this lesson, we will enter the debtor's last name and click **[Search]**.

NOTE: The entire name of businesses resides in the **Last/Business** field. Therefore, for business filings, entering the first part of the name may be sufficient to find a match.

STEP 5 If there are no matches, the system will return a **No Person Found** message. **(See Figure 5a.)**

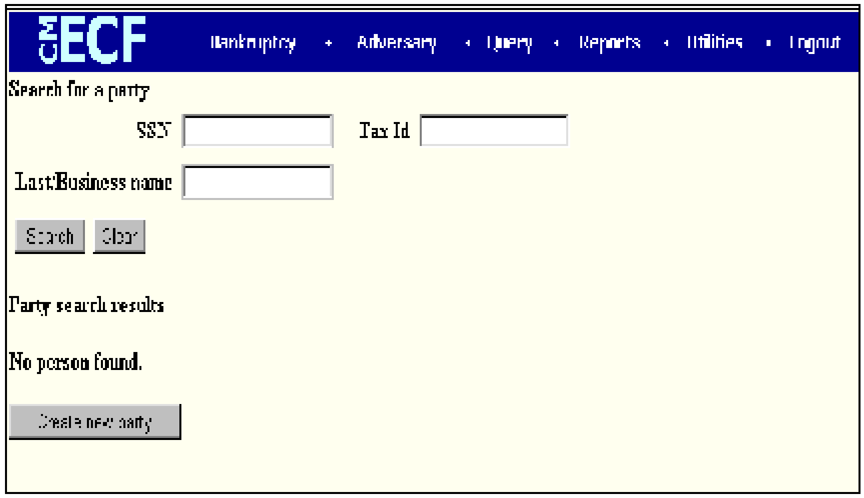


Figure 5a

NOTE: Your name search may find more than one record having the same name as shown in **Figure 5b**. Clicking on each of the names will display a window showing the party's address information for verification.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address**.**

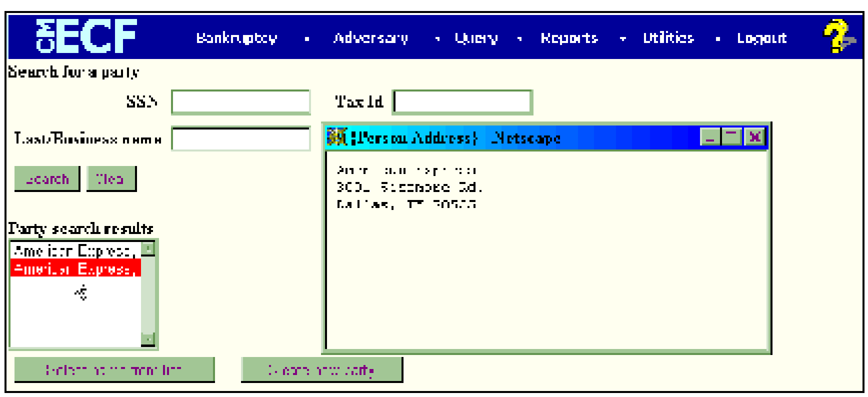


Figure 5b

- Once you have tried alternative searches and determined that the party is not already in the database, you can add them to the database. Click **[Create New Party]**.

! **STEP 6** The **PARTY INFORMATION** screen displays**. (See Figure 6.)**

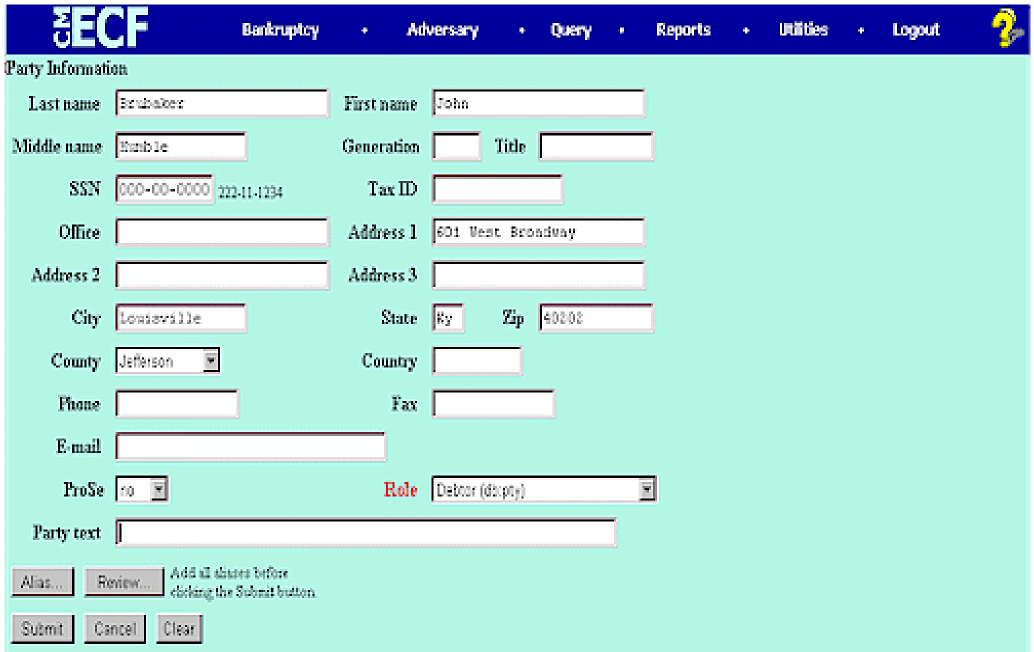


Figure 6

- Enter the debtor's **Name** and **Address** information in the appropriate boxes . (For this lesson, our debtor is John Brubaker.)

- Select the debtor's **County** of residence from the pick list box.

NOTE: Type the first letter of the county name for a faster search.

- For this lesson, leave ***ProSe*** as **no**.

- Expand the **Role Type** selection pick list box by clicking on the down arrow ▼, and select Debtor. The Default is Debtor.

- Enter further descriptive text for the debtor in the **Party text** field, if appropriate (such as A Kentucky Corporation, Guardian of the State, etc.)

- It is not necessary to add the attorney representing the debtor. Because you are an attorney, Your name will be linked to the party you are representing automatically at the end of this transaction. Your login will furnish your attorney information to the system.

◆ If the party has an alias, click the **[Alias]** button.

STEP 7 The **ALIAS** screen appears. **(See Figure 7.)**

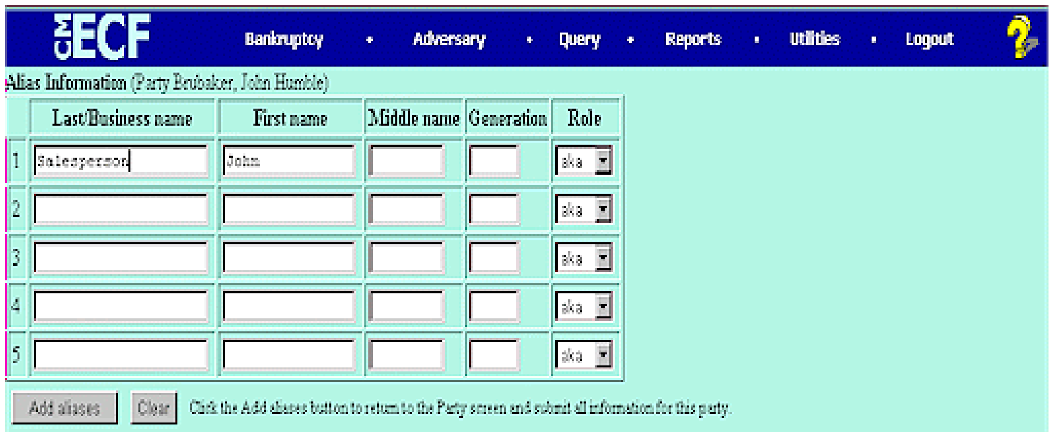


Figure 7

◆ You can enter up to five alias names. **Alias Role** selections include aka, dba, fdba, and fka. The default is aka.

◆ Click **[Add aliases]**.

STEP 8 The **PARTY INFORMATION** screen reappears. **(See Figure 8a.)**

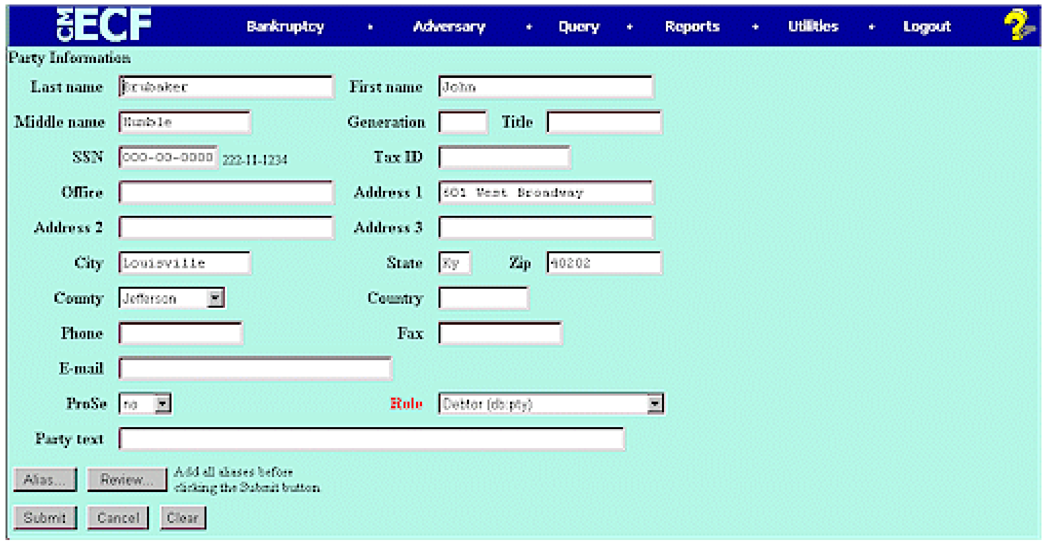


Figure 8a

- Clicking on the **[Review]** button at any time presents a screen summarizing the attorney and alias activity for this debtor. **(See Figure 8b.)**

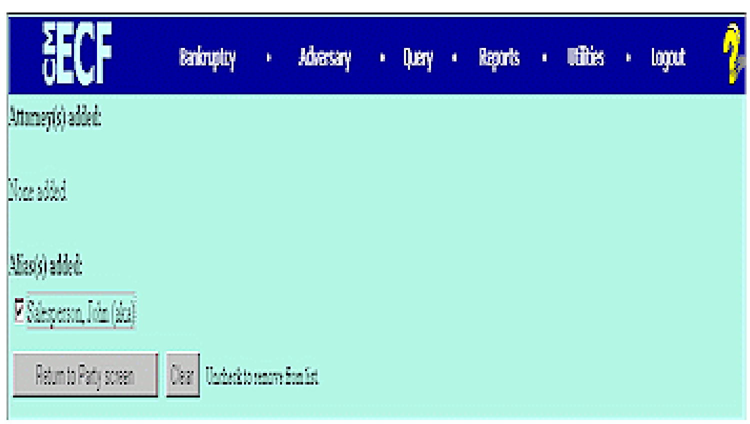


Figure 8b

- Verify the information.
- Be careful about clicking the **[Clear]** button. You could accidently delete information.

◆ Click **[Return to Party Screen]**.

STEP 9 The **PARTY INFORMATION** screen will return again as shown in **Figure 8a.** If you are finished adding information for this new party, click **[Submit]** to continue with Case Opening.

NOTE: If this were a joint debtor filing, a **JOINT DEBTOR PARTY** screen would appear next.

STEP 10 The **STATISTICAL DATA** screen appears next. **(See Figure 10.)**

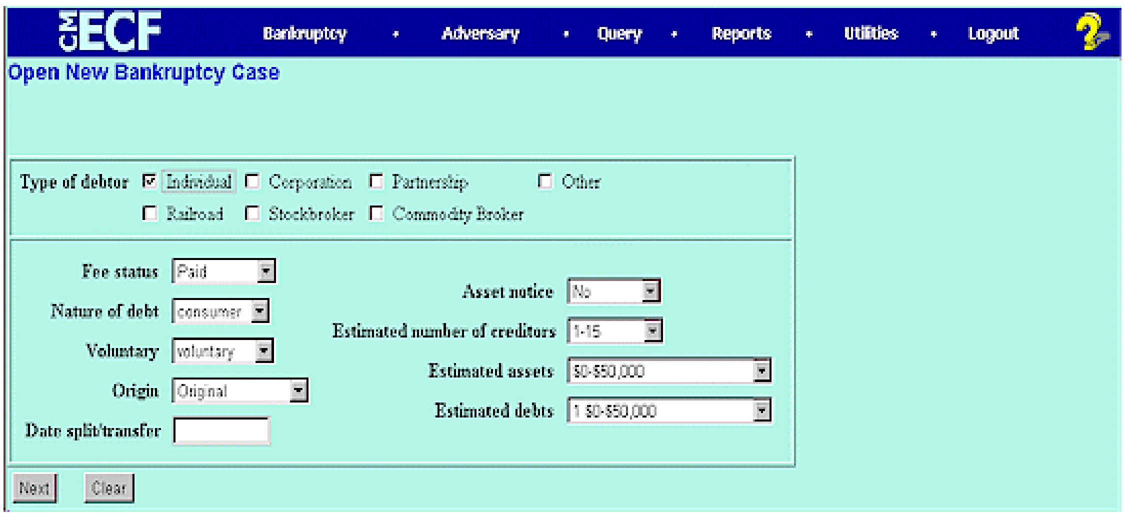


Figure 10

- Select the **Type of Debtor** by clicking in the appropriate box(es).
- The **Fee Status** values are Paid and Installment. If the petition is accompanied by an Application to Pay Filing Fees in Installments, you would select Installment from the pick list box.
- Designate the **Nature of Debt** as Consumer or Business.
- The default value is for a **Voluntary** Petition. For Involuntary Petitions, select **Involuntary** from the pick list box.
- Enter the correct **Origin** code from the values Original, First Reopen, Second Reopen, Third Reopen, Split or Inter-District

Transfer. No action is necessary if this is the first filing; the default value of Original is correct for this exercise.

- **Date Split/Transfer** is only necessary when a joint debtor splits from the original case or if this case was transferred in from another district. Otherwise leave this field blank.

- Choose Yes or No for **Asset notice** designation. The default is **NO.**
  - Chapter 7's the designation will be **NO.**
  - Chapter 11, 12, or 13's the designation will be **YES.**

- Select the range of **Estimated Creditors** from the pick list box.

  - 1 -15
  - 16 - 49
  - 50 - 99
  - 100 -199
  - 200 - 999
  - 1,000 - over

- Select the correct dollar range for **Estimated Assets**.

  - Under $50,000
  - $50,001 - 100,000
  - $100,001 - 500,000
  - $500,001 - 1 million
  - $1,000,001 - 10 million
  - $10,000,001 - 50 million
  - $50,000,001 - 100 million
  - More than $100 million

- Select the correct dollar range for **Estimated Debts**.
    - Under $50,000
    - $50,001 - 100,000
    - $100,001 - 500,000
    - $500,001 - 1 million
    - $1,000,001 - 10 million
    - $10,000,001 - 50 million
    - $50,000,001 - 100 million
    - More than $100 million
- Click **[Next]** to continue.

STEP 11 If you have selected **y** for **Deficiencies** on the **Case Data** screen, the **DEFICIENCY LIST** screen will appear.
(See Figure 11.)

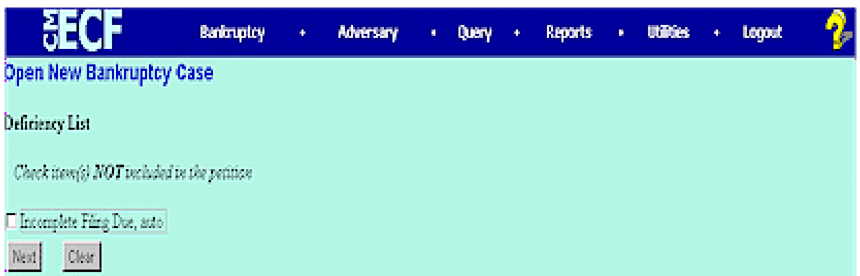


Figure 11

- Check the check box **Incomplete Filing Due, auto.** (Auto indicates that the deadline will automatically be calculated for the user)
- Click **[Next]** to continue.

STEP 12 The **SELECT A PDF DOCUMENT** screen appears.
(See Figure 12.)

Figure 12

NOTE: This screen is used for associating the imaged document with this entry. Attorneys must enter the path and name of a pdf (portable document format) document here.

- Click **[Browse]**, then click on the down arrow ▼ for the **Files of type** field.
- In the drop-down box, click on **All Files (*.*)**.
- Navigate to the directory where the appropriate PDF file is located.
- Highlight the file. Then right click with your mouse and select **Open** to verify the contents of the document. If this is the correct file, double-click the PDF file to select it.
- Accept the default setting of **No** for the **Attachments to Document** radio buttons. Attachments will be covered in another module.
- Click **[Next]**

STEP 13 The **INCOMPLETE FILINGS DEADLINE**S screen is presented. **(See Figure 13.)**

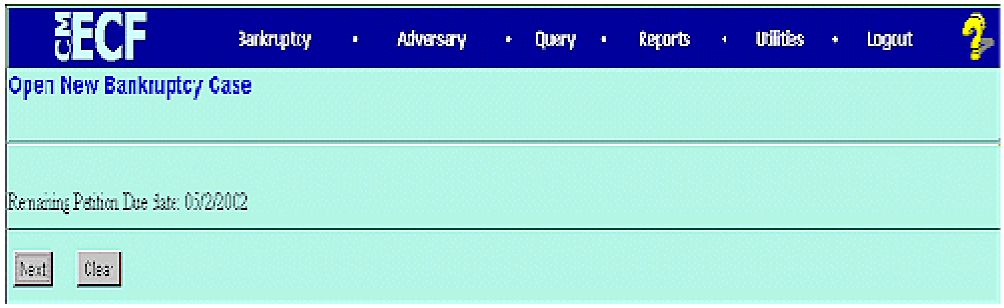


Figure 13

- The deadline for filing the remaining petition is calculated and displayed. This will print on the final docket text and will exist as a schedule record for queries and reports.
- The court will monitor the deadline for compliance and will verify deficiencies.
- Click **[Next]** to continue.

STEP 14 The **RECEIPT #** screen appears. **(See Figure 14.)**

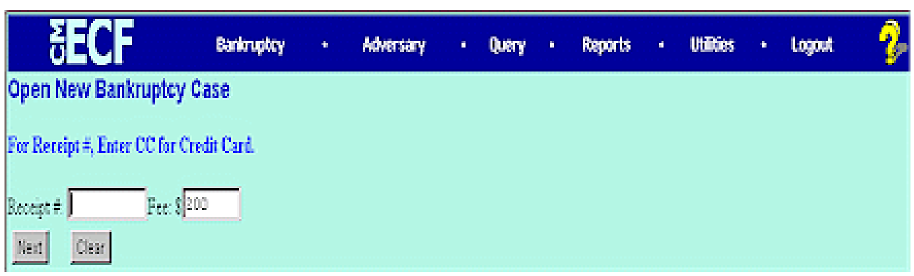


Figure 14

- Enter **CC** in the “Receipt #” box. CC indicates payment by credit card.
- Click **[Next]** to continue.

STEP 15 The **MODIFY DOCKET TEXT** screen appears. **(See Figure 15.)**

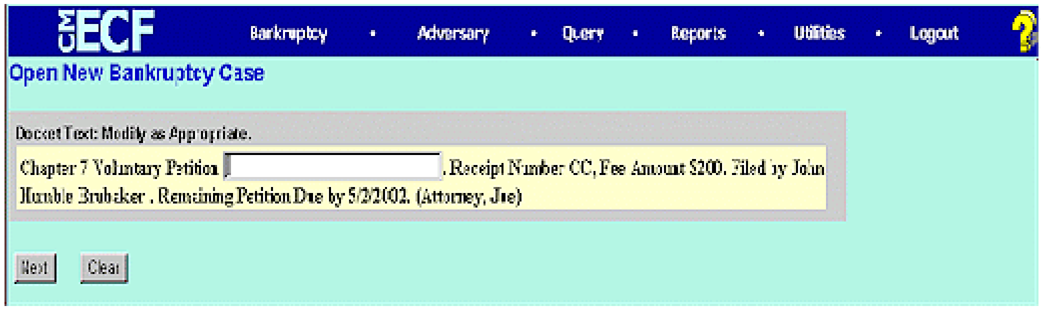


Figure 15

- Click **[Next]** to continue.

STEP 16 The **FINAL TEXT EDITING** screen displays. **(See Figure 16.)**

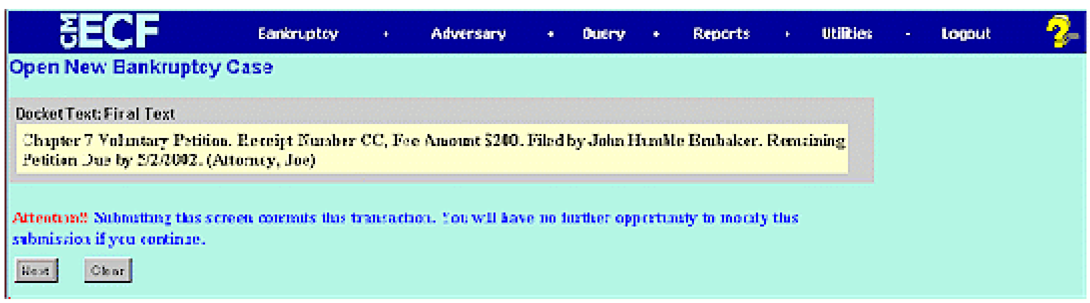


Figure 16

- **Proof this screen carefully!** This is what will print on the docket sheet.
- If the docket text is incorrect, click the browser **[Back]** button at the top of the screen one or more times to find the screen to be modified, make the correction, and continue through the event.
- To abort or restart the transaction, click on the Bankruptcy hyperlink on the **CM/ECF Main Menu Bar.** Although this can be done at any time, this is your last opportunity to change the event.
- The case number will now be assigned. Click **[Next]** to continue.

STEP 17 The **NOTICE OF ELECTRONIC FILING** screen displays.
(See Figure 17.)

Figure 17

- This **Notice of Electronic Filing** is the verification that the filing has been sent electronically to the court's database. It certifies the that petition is now an official court document.

- Make a note of the case number, which appears in blue. Clicking on the case number hyperlink, 02-20053, will display the docket report for this case.

- Clicking on the document number hyperlink 1, will display the PDF image of the petition just filed.

- The Notice of Bankruptcy Case Filing hyperlink appears at the top of the Notice of Electronic Filing. Clicking on this hyperlink reveals a notice summarizing the pertinent details and participants of this case. **(See Figure 18.)**

NOTE: You must enter your PACER login and password to view any documents or reports and to perform any queries.

STEP 18 If you click on the Notice of Bankruptcy Case Filing hyperlink at the top of the Notice of Electronic Filing, the Notice of Bankruptcy Case Filing will be displayed. This notice summarizes the pertinent details and participants of this case. **(See Figure 18.)**

Figure 18

- This certification was created in addition to the initial notice of filing. It also displays the debtor(s), attorney, trustee, case number, time, and filed date of the case opening information. It can be used to notice creditors as an official notice of stay besides the 341 Meeting Notice to stop foreclosures and other creditor actions. It may be saved or printed at the time of filing.

- The Notice of Bankruptcy Case Filing is also available for viewing or printing through the Query Main Menu Bar selection.

- To print a copy of this notice, click the browser **[Print]** button or icon.

- To save a copy of this receipt, click **[File]** on the browser menu bar and select **Save Frame As**.

NOTE: If this case had been opened by the court, the time stamp would not appear on the seal. It appears only for cases opened electronically by non-court users.